

January 1, 1996, is considered in compliance with § 229.125(d) (1) through (3).

(2) Any lead locomotive equipped with strobe lights as described in paragraph (b)(2) and operated at speeds no greater than 40 miles per hour, is considered in compliance with § 229.125(d) (1) through (3) until the locomotive is retired or rebuilt, whichever comes first.

(3) Any lead locomotive equipped with two white auxiliary lights spaced at least 44 inches apart on at least one axis which was equipped with these auxiliary lights before May 30, 1994, will be considered in compliance with § 229.125(d) (1) through (3) until the locomotive is retired or rebuilt, whichever comes first.

Appendix B [Amended]

5. Amend Appendix B to Part 229—Schedule of Civil Penalties—by adding in numerical sequence by section number the following:

Section	Violation	Willful violation
* * *	* * *	* * *
229.125:		
(a) Headlights	2,500	5,000
(d) Auxiliary lights	2,500	5,000
* * *	* * *	* * *

Issued in Washington, DC, on February 28, 1996.

Jolene M. Molitoris,
Federal Railroad Administrator.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 960129018-6018-01; I.D. 030196B]

Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Inshore Component

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for Pacific cod for processing by the inshore component in the Western Regulatory Area of the Gulf of Alaska

(GOA). This action is necessary to prevent exceeding the allocation of Pacific cod for processing by the inshore component in the Western Regulatory Area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), March 2, 1996, until 12 midnight, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(c)(1)(ii)(B), the allocation of Pacific cod for processing by the inshore component in the Western Regulatory Area was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4304, February 5, 1996) as 16,965 metric tons (mt).

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the allocation of Pacific cod total allowable catch for processing by the inshore component in the Western Regulatory Area soon will be reached. The Regional Director established a directed fishing allowance of 15,965 mt, with consideration that 1,000 mt will be taken as incidental catch in directed fishing for other species in the Western Regulatory Area. The Regional Director has determined that the directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*
Dated: March 1, 1996.

Richard W. Surdi,
Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-5228 Filed 3-1-96; 2:35 pm]
BILLING CODE 3510-22-P

50 CFR Part 675

[Docket No. 960129019-6019-01; I.D. 022996B]

Groundfish of the Bering Sea and Aleutian Islands Area; Inshore Component Pollock in the Bering Sea subarea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the inshore component in the Bering Sea subarea (BS) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the first allowance of the pollock total allowable catch (TAC) for vessels catching pollock for processing by the inshore component in the BS.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), March 2, 1996, until 12 noon, A.l.t., April 15, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by the NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

In accordance with § 675.20(a)(7)(ii), the first seasonal allowance of pollock for the inshore component in the BS was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) as 159,311 metric tons (mt).

The Director, Alaska Region, NMFS (Regional Director), has determined in accordance with § 675.20(a)(8), that the first seasonal allowance of pollock TAC for vessels catching pollock for processing by the inshore component in the BS soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 147,311 mt with consideration that 12,000 mt will be taken as incidental catch in directed fishing for other species in the BS. Consequently, NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the inshore component in the BS. This closure is effective March 2, 1996, until

12 noon, A.l.t., April 15, 1996. Under § 675.20(a)(2)(ii), the second seasonal allowance will be available from 12 noon, A.l.t., August 15 through the end of the fishing year.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 29, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-5181 Filed 3-1-96; 10:23 am]

BILLING CODE 3510-22-F

50 CFR Part 675

[Docket No. 960129019-6019-01; I.D. 022996A]

Groundfish of the Bering Sea and Aleutian Islands Area, Trawl Closure to Protect Red King Crab

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Inseason adjustment; request for comments.

SUMMARY: NMFS has determined that an interim closure to all trawling is necessary in a part of the Bristol Bay area of the Bering Sea and Aleutians Islands (BSAI) management area. Results of the 1995 bottom trawl survey conducted by NMFS in Bristol Bay indicate that the red king crab stock in Bristol Bay continues to be severely depressed. NMFS anticipates that the condition of this stock could worsen if vessels fishing for groundfish with trawl gear were allowed to conduct operations in a particular part of Bristol Bay that is important to red king crab during a period after they have molted and are in a softshell condition. NMFS is closing part of Bristol Bay to trawling for groundfish for purposes of protecting red king crab from anticipated adverse impacts due to trawl operations. This measure is necessary to respond to the continued decline of red king crab stocks in the BSAI management area. It is intended to accomplish the objectives of the North Pacific Fishery Management Council (Council) with respect to management of red king crab stocks.

DATES: Effective April 1, 1996, through June 15, 1996. Comments must be submitted by April 5, 1996.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, Attention: Lori Gravel.

FOR FURTHER INFORMATION CONTACT: Ronald J. Berg, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

Fishing for groundfish by U.S. vessels in the exclusive economic zone of the BSAI is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP). The FMP was prepared by the Council under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801, *et seq.*) (Magnuson Act), and is implemented by regulations governing the U.S. groundfish fisheries at 50 CFR parts 675 and 676. General regulations that also pertain to U.S. fisheries are codified at 50 CFR part 620.

High rates of prohibited species bycatch may warrant inseason adjustment to close an area to fishing for groundfish. Authority for interim closures of a specific area is contained in regulations at § 675.20(e). This inseason adjustment prohibits fishing for groundfish by operators of vessels using trawl gear from April 1, 1996, through June 15, 1996, in that portion of the Bering Sea that is bounded by straight lines connecting the following coordinates in the order listed below.

Latitude	Longitude
56°00' N.;	163°00' W.;
56°00' N.;	164°00' W.;
57°00' N.;	164°00' W.;
57°00' N.;	163°00' W.; and
56°00' N.;	163°00' W.

This action is necessary to protect depressed stocks of red king crab from being taken by the groundfish trawl fisheries during a period when the crab are in a softshell condition and are particularly vulnerable to injury. Further reasons for the inseason adjustment under § 675.20(e)(1)(iv) follow.

Results of the 1995 NMFS-conducted bottom-trawl survey in Bristol Bay indicate that the total population of red king crab continues to be at low levels. Although the number of legal male red king crab was 6.3 million, which represents a 15 percent increase from 1994, the number of pre-recruits was 5.4 million, which represents an 11 percent decrease from 1994. The number of

large female crab was 8.0 million, which is 400,000 fewer than the number considered to be the "threshold" in the FMP for the Commercial King and Tanner Crab Fisheries of the Bering Sea and Aleutian Islands (crab FMP). Under the crab FMP, the Acceptable Biological Catch in the directed red king crab fishery is defined as zero when the female red king crab stock is at or below threshold. Accordingly, the Alaska Department of Fish and Game (ADF&G) closed the directed red king crab fishery in 1995.

Likewise, because NMFS survey results in 1994 also indicated that the number of female red king crab was below threshold, ADF&G closed the red king crab fishery in 1994. Due to the 1994 and 1995 closures of the red king crab fishery in Bristol Bay, ADF&G closed the area east of 163° W. longitude to Chionoecetes bairdi Tanner crab fishing for both years to reduce incidental mortality of red king crab in this area.

The Council responded to the 1994 results by recommending that NMFS close by emergency rule an area between 56° and 57° N. lat. and 162° and 164° W. long. to trawling during the rock sole roe fishery. NMFS implemented that emergency rule (60 FR 4866, January 25, 1995), and it remained in effect from January 20 through April 25, 1995. At that time, the Council directed its staff to analyze alternative closure areas that could be implemented permanently under an FMP amendment to provide long-term protection to Bristol Bay red king crab.

At its September 1995 meeting, the Council recommended implementation of proposed Amendment 37 to the FMP, an action similar to the emergency rule. This includes a closure of the Red King Crab Savings Area to vessels using non-pelagic trawl gear as well as an increase in observer coverage. NMFS has not yet received that amendment from the Council for review under Section 304 of the Magnuson Act.

On January 20, 1996, NMFS implemented an inseason adjustment (60 FR 63451, December 11, 1995) under its authority at 50 CFR 675.20(e) to close the above-described area through March 31, 1996. The purpose of this action was to protect female red king crab during a time when the trawl fishery for rock sole was ongoing.

On January 30, 1996, the Council met jointly with the Alaska Board of Fisheries (BOF) and reviewed the best available scientific information about the status of red king crab and the potential effectiveness of measures that have been taken to protect red king crab.